

TRANSMITTAL SLIP		DATE	
TO: <i>Registry</i>			
ROOM NO.		BUILDING	
REMARKS: <i>These have been seen by way of routing sheet.</i>			
FROM:			
ROOM NO.		EXTENSION	

FORM NO. 241
1 FEB 66

REPLACES FORM 36-8
WHICH MAY BE USED

(47)

~~CONFIDENTIAL~~OCA
INCOMING

/ /

~~CONFIDENTIAL~~
PRIORITY

FRP: , , 3, , , , ,

STATE

25X1

86 0263764 SCP

PAGE 001
TOR: 190314Z MAR 86NC 0263764
STATE 084105

PP RUEAIIB
ZNY CCCCC ZDC STATE ZZH
PP RUEHC RUEHNR
DE RUEHC #4105 0780313
ZNY CCCCC ZZH
P 190313Z MAR 86
FM SECSTATE WASHDC
TO AMEMBASSY NAIROBI PRIORITY 7785
BT

~~CONFIDENTIAL~~ STATE 084105

E.O. 12356:DECL OADR
TAGS: SHUM, PREL, KE
SUBJECT: IMPRISONED WRITER, MAINA WA KINYATTI

REF: (A) NAIROBI 1888, (B) STATE 12011, (C) NAIROBI 767,
(D) STATE 373346

1. (C - ENTIRE TEXT).

2. SENATOR LUGAR HAS QUERIED DEPARTMENT REGARDING
KINYATTI STATUS BASED ON REPORTS THE IMPRISONED
WRITER IS SUFFERING ILL TREATMENT AND HIS EYE
CONDITION IS NOT BEING CARED FOR.

3. IN ADDITION, WE CONTINUE TO RECEIVE INQUIRIES
FROM PROFESSIONAL ASSOCIATIONS AND PRIVATE CITIZENS
REGARDING KINYATTI STATUS.

4. ASSUME YOU HAVE RECEIVED NO RESPONSE TO DIP NOTE
REF A.

5. PLEASE CONTINUE TO PRESS ISSUE AT SUFFICIENTLY
HIGH LEVEL TO ENSURE RESPONSIVE REPLY. POINT OUT TO
GOK THAT ITS SILENCE ON KINYATTI'S STATUS LEADS
KINYATTI'S SUPPORTS TO ASSUME THE WORST.

6. WOULD APPRECIATE PROMPT RESPONSE FOR
CONGRESSIONAL AND OTHER INQUIRIES. SHULTZ
END OF MESSAGE

~~CONFIDENTIAL~~~~CONFIDENTIAL~~

UNCLASSIFIEDOCA
INCOMING

/46/

UNCLASSIFIED
PRIORITY

FRP: . . 3

STATE

STAT

86 0278171 SUP

PAGE 001
TOR: 200701Z MAR 86NC 0278171
STATE 085682

PP RUEAIIB
 ZNR UUUUU ZOC STATE ZZH
 PP RUEHC RUFHTH RUEHOT RUFHOS RUFHINK RUFHNA RUQMGG
 RUEHMO RUFHMB RUEHMD RUEHLD RUFHLL RUFHGB RUEHRO
 RUEHJU RUFHGV RUEHPG RUFHFR RUFHCP RUEHVI RUFHVL
 RUFHRN RUFHDB RUFHOL RUEHBS RUFHBE RUFHRN RUFHEB
 RUFHJA RUFHBC RUDKDA RUFHKS RUDKSA RUFHOM RUEHHT
 RUEHAK RUDKRW RUEHDT RUFHGV
 DE RUEHC #5682 0790136
 ZNR UUUUU ZZH
 P 200137Z MAR 86 ZEX
 FM SECSTATE WASHDC
 TO CSCE COLLECTIVE PRIORITY
 BT
 UNCLAS STATE 085682

E.O. 12356: N/A

TAGS: CSCE

SUBJECT: CONGRESSIONAL HEARING ON BERN CSCE MEETING
ON HUMAN CONTACTS

1. SUMMARY. MICHAEL NOVAK, HEAD OF U.S. DELEGATION TO THE BERN CSCE HUMAN CONTACTS EXPERTS MEETING, APPEARED MARCH 18 BEFORE THE CONGRESSIONAL CSCE COMMISSION. NOVAK AND COMMISSIONERS DISCUSSED THE BROAD OUTLINES OF U.S. APPROACH TO BERN, IMPRESSIONS FROM NOVAK'S MARCH 14 CONSULTATIONS IN MOSCOW AND QUESTIONS CONCERNING NGOS. END SUMMARY.

2. COMMISSION CHAIRMAN D'AMATO AND CO-CHAIRMAN HOYER PRESIDED AT A MARCH 18 HEARING DEVOTED TO THE APRIL/MA BERN HUMAN CONTACTS EXPERTS MEETING (HEM). SENATORS DECONCINI AND HUMPHREY AND CONGRESSMAN RITTER ALSO ATTENDED. USDEL/HEM NOVAK WAS THE SOLE WITNESS. THE WIRELESS FILE CONTAINS THE PREPARED STATEMENT HE DELIVERED.

3. HOYER OPENED THE HEARING BY CHARACTERIZING BERN AS THE SOVIETS' LAST CHANCE TO DEMONSTRATE WILLINGNESS TO LIVE UP TO COMMITMENTS ON THE HUMANITARIAN SIDE OF CSCE. HE EXPRESSED CONCERN ABOUT "BALANCE" WITHIN THE CSCE PROC SS, POSSIBLE PRESSURES FROM ALLIES TO SIGN AN EMPTY AGREEMENT AT BERN, AND INDICATIONS THAT THE STATE DEPARTMENT WAS NOT GIVING CSCE ITS DUE AS PART OF AN OVERALL HUMAN RIGHTS POLICY. HE NOTED BERN'S CRUCIAL IMPORTANCE TO THE NGO COMMUNITY. RITTER WELCOMED NOVAK'S APPOINTMENT TO HEAD USDEL AND ARGUED THAT THE BEST WAY TO MAINTAIN CREDIBILITY FOR CSCE WITH THE PUBLIC AND TO EMPHASIZE THE IMPORTANCE WE ATTACH TO THE ROLE OF INDIVIDUALS WAS TO APPOINT NGO REPRESENTATIVES AS PUBLIC MEMBERS TO THE U.S. DELEGATION. (FYI. NOVAK'S TESTIMONY STATED THE DEPARTMENT'S INTENTION TO IDENTIFY ONE APPROPRIATE REPRESENTATIVE OF THE NGO COMMUNITY TO SERVE AS AN ADVISER ON THE DELEGATION. END FYI.)

4. RESPONDING TO HOYER'S INQUIRY ABOUT HOW USDEL WOULD BALANCE QUIET DIPLOMACY WITH THE NEED TO CITE SPECIFIC PROBLEMS AND NAMES, NOVAK SAID HE HAD FRANKLY TOLD HIS SOVIET INTERLOCUTORS IN MOSCOW THAT HE WOULD SPEAK FORTHRIGHTLY, IN A LOW-KEY, CONSTRUCTIVE WAY, WITH AN EYE ON RESULTS. HOYER ASKED FOR VIEWS ON A FINAL DOCUMENT. NOVAK STATED THE POSITION THAT THE U.S. DOES NOT NEED A DOCUMENT BUT WOULD BE WILLING TO CONSIDER ONE IF IT MARKED

UNCLASSIFIED

UNCLASSIFIED

86 0278171 SUP

PAGE 002
TOR: 200701Z MAR 86

NC 0278171
STATE 085682

AN ADVANCE OVER EXISTING LANGUAGE. THE SOVIETS, HE SAID, WERE NOT VERY INTERESTED IN ONE.

5. D'AMATO QUESTIONED THE VIGOR AND DETERMINATION WITH WHICH THE STATE DEPARTMENT WAS PRESSING HUMAN RIGHTS CONCERNS. HE RETURNED TO THE THEME SUBSEQUENTLY, PARAPHRASING TESTIMONY BY PRIVATE SECTOR WITNESSES AT PREVIOUS COMMISSION HEARINGS CALLING FOR STRICT LINKAGE BETWEEN THE SOVIETS' HUMAN RIGHTS PERFORMANCE AND AGREEMENTS WITH THEM IN OTHER FIELDS. NOVAK SAID HE EMPHASIZED IN MOSCOW THE IMPORTANCE OF BUILDING CONFIDENCE BETWEEN STATES BY THE HUMANE TREATMENT THEIR PEOPLE. HE SAID HE REJECTED SOVIET LOGIC THAT PEOPLE SHOULD BE USED AS THE MEANS RATHER THAN THE ENDS OF POLICY AND EMPHASIZED THE CRUCIAL IMPORTANCE OF HUMANITARIAN ISSUES TO THE U.S. PUBLIC. ITS MANY ROOTS IN EASTERN AND CENTRAL EUROPE AND THE SOVIET UNION MADE CONDITIONS THERE A FAMILY CONCERN FOR AMERICANS. TO D'AMATO'S QUESTION OF HOW WE CAN MAKE THE SOVIETS UNDERSTAND THIS WITHOUT STRICT LINKAGE, NOVAK NOTED THE DUTY OF THE STATE DEPARTMENT TO MOVE FORWARD WITH THE SOVIETS ON ALL FRONTS. AT THE SAME TIME, AS AN OUTSIDER RECRUITED FOR THE JOB AT BERN, HE WAS IN A POSITION TO GIVE HIS SOVIET COUNTERPARTS FULL EXPOSURE TO PRIVATE AMERICAN CONCERNS.

6. RITTER TERMED "RESTRICTIVE" THE DEPARTMENT'S POSITION ON NGO REPRESENTATION ON THE DELEGATION AND ASKED THAT THE CASE OF SOVIET SAILOR MEDVED BE RAISED AT BERN. IN RESPONSE, NOVAK EMPHASIZED THE PRIORITY USDEL WILL GIVE TO LIAISON WITH NGOS WHO COME TO BERN AND THEIR IMPORTANCE IN SENDING SIGNALS TO THE SOVIETS. HE ALSO NOTED THE NEED TO ILLUSTRATE PRINCIPLES WITH APPLICABLE CASES AND THE IMPORTANCE OF NGO ACTIVITIES IN THIS REGARD. SHULTZ
END OF MESSAGE UNCLASSIFIED

UNCLASSIFIED

CONFIDENTIAL

OCA
INCOMING

/ /

CONFIDENTIAL
IMMEDIATE

FRP: ,2, ,4, , , ,

STATE

25X1

86 0273347

SCO

PAGE 001

TOR: 192140Z MAR 86

NC 0273347

CANBER 02566

OO RUEAIIB
ZNY CCCCC ZOC STATE ZZH
UTS8283
OO RUEHC
DE RUEHBY #2566 0782132
ZNY CCCCC
O 192130Z MAR 86
FM AMEMBASSY CANBERRA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 6157
INFO RUESMG/AMEMBASSY MANAGUA 0088
ZEN/AMCONSUL BRISBANE POUCH
ZEN/AMCONSUL MELBOURNE POUCH
ZEN/AMCONSUL PERTH POUCH
ZEN/AMCONSUL SYDNEY POUCH
BT
C O N F I D E N T I A L CANBERRA 02566

E.O. 12356: OADR
TAGS: PREL, XK, AS
SUBJECT: DEMARCHE ON NICARAGUA

REF: CANBERRA 2471

1. CONFIDENTIAL - ENTIRE TEXT.
-
2. SUBSEQUENT TO SENDING REFTEL, ADCM HAD OPPORTUNITY TO RAISE OUR CONCERNS OVER HIS NICARAGUA STATEMENT DIRECTLY WITH SENATOR EVANS. EVANS SAID HE UNDERSTOOD OUR POINTS, AND HAD HIMSELF QUESTIONED THE TEXT HE RECEIVED FROM DFA BUT HAD GONE AHEAD WITH IT ESSENTIALLY ON THE BASIS OF DFA'S RECOMMENDATION. HE APPRECIATED OUR TAKING IT UP WITH HIM. ALSO, ACTING POLCOUNS REITERATED OUR CONCERNS WITH THE ACTING HEAD OF THE INTERNATIONAL DIVISION OF THE DEPARTMENT OF PRIME MINISTER AND CABINET, WHO INDICATED SIMILAR UNDERSTANDING FOR OUR POSITION.
-
3. WE BELIEVE THAT THESE TWO FOLLOW-UP CONVERSATIONS AND THE LAPSE OF TIME OBVIATE THE NEED FOR A FURTHER FORMAL APPROACH AT DFA AS SUGGESTED REFTEL. LANE
END OF MESSAGE

CONFIDENTIAL

CONFIDENTIAL